

*Substitute***A RESOLUTION****BY COUNCILMEMBER CLAIR MULLER**

A RESOLUTION TO EXPAND THE CHARGE OF THE CHARTER REVIEW COMMISSION TO INCLUDE A REVIEW OF GOVERNANCE ISSUES IN THE CITY OF ATLANTA, FULTON COUNTY AND DEKALB COUNTY, INCLUDING THE FEASIBILITY OF CONSOLIDATION OF CITY AND COUNTY GOVERNMENTS, CITY AND COUNTY SERVICES, AND MUNICIPALIZATION OF UNINCORPORATED AREAS; TO EXPAND THE TERM OF THE COMMISSION IN 2005 FOR AN ADDITIONAL THREE (3) YEARS; AND TO AMEND THE COMPOSITION OF THE COMMISSION TO FACILITATE A REVIEW OF THESE CHARGES; AND FOR OTHER PURPOSES.

WHEREAS, in 1971 a Charter Commission was established by the Georgia State Legislature to review Atlanta's 100 year old Charter; and

WHEREAS, in 1973 after eighteen (18) months of review a new City Charter was adopted by Senate Bills 49 and 50; and

WHEREAS, in 1993 a Charter Review Commission was created by the City Council; and

WHEREAS, that Commission was expanded and refined in 1994; and

WHEREAS, the City's most recent Charter was adopted in 1996; and

WHEREAS, a Charter Review Commission was authorized to review election practices; and

WHEREAS, past Charter Review Commissions have been charged with considering consolidation of the City of Atlanta and Fulton County; and

WHEREAS, past Charter Review Commission have been charged with considering the dual status problems of the City of Atlanta in Dekalb County; and

WHEREAS, numerous other major metropolitan areas within the United States have pursued consolidation of cities and counties within a metropolitan area; and

WHEREAS, the City of Atlanta, Fulton and Dekalb Counties, and other surrounding counties continue to experience significant growth, including shifts in population, increased service demands, and challenges in locating revenue sources; and

WHEREAS, consolidation of city and county governments in the Atlanta region could allow for coordinated planning and zoning requirements to better streamline the process and encourage smarter growth practices; and

WHEREAS, consolidation of the services of cities and counties in the Atlanta region could promote increased efficiencies and diminish the cost of providing these services for ratepayers; and

WHEREAS, it is deemed by the Atlanta City Council as the appropriate time to initiate a review of its Charter to study the feasibility of consolidating the governments of the City of Atlanta and Fulton County.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: Extension and composition.

- (a) Following the report of the recommendations of the Charter Review Commission regarding the initial charges, and not later than February 1, 2005, the Charter Review Commission shall resume deliberations regarding any additional charges.
- (b) Said Commission shall be expanded to consist of the following:
 - (1) Two (2) members to be appointed by the Mayor, both of whom must be residents of the City of Atlanta, and one of whom must be a member of the 1994 Charter Review Commission;
 - (2) Two (2) members appointed by the Chair of the Fulton County Commission, one of whom must be a resident of unincorporated Fulton County;
 - (3) Two (2) members appointed by the Chief Executive Officer of Dekalb County, one of whom must be a resident of unincorporated Dekalb County;
 - (4) Two (2) members to be appointed by the City Council President, both of whom must be residents of the City of Atlanta, and one of whom must be a member of the 1994 Charter Review Commission;
 - (5) Two (2) members appointed by each of the grouped council districts (Districts 1-4 and Post 1 At-Large; Districts 5-8 and Post 2 At-Large; and District 9-12 and Post 3 At-Large), all of whom must be residents of the City of Atlanta;
 - (6) Three (3) members appointed by the Fulton County Commission, two (2) of which must be residents of unincorporated Fulton County;
 - (7) Three (3) members appointed by the Dekalb County Board of Commissioners, two of which must be residents of unincorporated Dekalb County;
 - (8) One (1) member appointed by the Atlanta School Board, who must be a resident of the City of Atlanta;
 - (9) One (1) member appointed by the Fulton County School Board;
 - (10) One (1) member appointed by the Dekalb County School Board;
 - (11) One (1) member to be appointed by the President of the Atlanta Planning and Advisory Board (APAB), who must be a resident of the City of Atlanta;
 - (12) The chairs of the Fulton County Senate and House Delegations, or their designee;
 - (13) The chairs of the Dekalb County Senate and House Delegations, or their designee;
 - (14) One (1) member appointed by the Atlanta Bar Association;
 - (15) One (1) member appointed by the Gate City Bar Association;

- (16) One (1) member appointed by the Atlanta Business League;
- (17) One (1) member appointed by the Metro Atlanta Chamber of Commerce;
- (18) One (1) member appointed by the North Fulton Chamber of Commerce, who must be a resident of unincorporated Fulton County;
- (19) One (1) member appointed by the Dekalb County Chamber of Commerce;
- (20) One (1) member appointed by the Fulton County League of Women Voters; and
- (21) One (1) member appointed jointly by the Presidents of the six (6) major universities in the City of Atlanta. These universities include:

- a. Spelman University;
- b. Morehouse University;
- c. Morris Brown University;
- d. Clark Atlanta University;
- e. Georgia State University; and
- f. Georgia Institute of Technology.

- (22) One (1) member appointed jointly by the Presidents of Emory University and Agnes Scott College.

- (c) The Mayor and the City Council President shall serve as ex-officio members.
- (d) The Chair of the Fulton County Commission shall serve as an ex-officio member.
- (e) The Chief Executive Officer of Dekalb County shall serve as an ex-officio member.
- (f) Two (2) members of the City Council, one from an at-large post, and one from a district post, to be appointed by the Council shall serve as ex-officio members.
- (g) Two (2) members of the Fulton County Commission, to be appointed by the County Commission, shall serve as ex-officio members.
- (h) Two (2) members of the Dekalb County Board of Commissioners, to be appointed by the Board of Commissioners, shall serve as ex-officio members.
- (i) All members of the commission shall be residents of the City of Atlanta, Fulton County, or Dekalb County.
- (j) The expanded Charter Review Commission shall select its own officers and form whatever functional groups it deems necessary.
- (k) All new and additional appointments to the expanded Charter Review Commission shall be in place no later than February 1, 2005.
- (l) The final recommendations shall be reported to the City Council, the Fulton County Commission, the Dekalb County Board of Commissioners, and the Dekalb and Fulton County Senate and House Delegations no later than December 31, 2007.

SECTION 2: Expanded charge of the Commission.

The charge of the Charter Review Commission shall be expanded to include a review of the present Charter to study and make recommendations regarding the following:

- (5) The consolidation of the governments of the City of Atlanta and Fulton and Dekalb Counties.
- (6) Opportunities to improve service delivery by combining or consolidating services provided by the City of Atlanta and Fulton and Dekalb Counties.

SECTION 3: Extended term of the Commission.

- (a) The term of the expanded Charter Review Commission shall be from January 1, 2005 until the Commission submits a report of its findings and recommendations to the Mayor, the City Council, the Fulton County Commission, and the Dekalb County Board of Commissioners, but not later than December 31, 2007 on which date the expanded Charter Review Commission shall be abolished.
- (b) The expanded Charter Review Commission shall hold a minimum of eight (8) public hearings, for the purpose of receiving public comment, according to the following provisions:
 - (1) One (1) in each of the quadrants of the City of Atlanta;
 - (2) One (1) in both the northern and southern portion of unincorporated Fulton County; and
 - (3) One (1) in both the northern and southern portion of unincorporated Dekalb County.
- (c) The time and place of such hearings shall be published at least one (1) week in advance in a newspaper of general circulation in the City of Atlanta, Fulton County and Dekalb County.
- (d) The hearings shall be completed not later than sixty (60) days prior to the expiration of the term of the expanded Charter Review Commission.

SECTION 4: Commission budget.

- (a) The Chief Financial Officer is hereby authorized to establish a Reserve Account in the non-departmental cost center to provide for the Charter Review Commission
- (b) The City Council shall appropriate whatever funds it deems necessary to allow the expanded Commission to accomplish its work.
- (c) The Fulton County Commission and the Fulton County School Board may appropriate whatever funds they deem necessary to allow the expanded Commission to accomplish its work.

- (d) The Dekalb County Board of Commissioners and the Dekalb County School Board may appropriate whatever funds they deem necessary to allow the expanded Commission to accomplish its work.
- (e) The Charter Review Commission may raise additional funds from private sources to provide for additional staffing and research needs if deemed necessary, with the approval of the City Council.
- (f) The Commission shall prepare a budget and deliver same to the City Council, the Mayor, the Fulton County Commission, and the Dekalb County Board of Commissioners not later than February 28, 2005. Any amendments to same shall be delivered accordingly, immediately upon adoption.

SECTION 5: Recommendations.

- (a) On or before the expiration of the term of the expanded Charter Review Commission on December 31, 2007, the Commission shall issue a report detailing any recommendations it might develop.
- (b) Any recommendations set forth by the expanded Charter Review Commission shall be accompanied by a budgetary impact statement, with a recommendation for funding sources therefor.

SECTION 6: All resolutions and parts of resolutions in conflict herewith are hereby repealed.